



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2444

Introduced 2/19/2009, by Rep. Dan Reitz - Angelo Saviano -
Arthur L. Turner

SYNOPSIS AS INTRODUCED:

225 ILCS 50/3

from Ch. 111, par. 7403

225 ILCS 50/9.5 new

Amends the Hearing Instrument Consumer Protection Act. Provides that a trainee shall perform the functions of a hearing instrument dispenser in accordance with the Department rules and only under the direct supervision of a licensed hearing instrument dispenser. Provides that the licensed hearing instrument dispenser shall give final approval to all work performed by the trainee and shall be physically present at the time any hearing instrument or hearing aid is delivered to the client. Provides that the Department shall establish by rule a training program for trainees that shall be at least 12 months in length. Provides that the Department may limit the number of trainees that may be under the direct supervision of the same licensed hearing instrument dispenser. Defines "trainee" and "direct supervision".

LRB096 07727 ASK 17828 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Hearing Instrument Consumer Protection Act
5 is amended by changing Sections 3 and 9 and by adding Section
6 9.5 as follows:

7 (225 ILCS 50/3) (from Ch. 111, par. 7403)

8 (Section scheduled to be repealed on January 1, 2016)

9 Sec. 3. Definitions. As used in this Act, except as the
10 context requires otherwise:

11 "Department" means the Department of Public Health.

12 "Director" means the Director of the Department of Public
13 Health.

14 "License" means a license issued by the State under this
15 Act to a hearing instrument dispenser.

16 "Licensed Audiologist" means a person licensed as an
17 audiologist under the Illinois Speech-Language Pathology and
18 Audiology Practice Act.

19 "National Board Certified Hearing Instrument Specialist"
20 means a person who has had at least 2 years in practice as a
21 licensed hearing instrument dispenser and has been certified
22 after qualification by examination by the National Board for
23 Certification in Hearing Instruments Sciences.

1 "Licensed physician" or "physician" means a physician
2 licensed in Illinois to practice medicine in all of its
3 branches.

4 "Trainee" means a person who performs the functions of a
5 hearing instrument dispenser in accordance with the Department
6 rules and only under the direct supervision of a licensed
7 hearing instrument dispenser.

8 "Board" means the Hearing Instrument Consumer Protection
9 Board.

10 "Hearing instrument" or "hearing aid" means any instrument
11 or device designed, intended, or offered for the purpose of
12 improving a person's hearing and any parts, attachments, or
13 accessories, including earmold. Batteries, cords, and
14 individual or group auditory training devices and any
15 instrument or device used by a public utility in providing
16 telephone or other communication services are excluded.

17 "Practice of fitting, dispensing, or servicing of hearing
18 instruments" means the measurement of human hearing with an
19 audiometer, calibrated to the current American National
20 Standard Institute standards, for the purpose of making
21 selections, recommendations, adaptations, services, or sales of
22 hearing instruments including the making of earmolds as a part
23 of the hearing instrument.

24 "Sell" or "sale" means any transfer of title or of the
25 right to use by lease, bailment, or any other contract,
26 excluding wholesale transactions with distributors or dealers.

1 "Hearing instrument dispenser" means a person who is a
2 hearing care professional that engages in the selling, practice
3 of fitting, selecting, recommending, dispensing, or servicing
4 of hearing instruments or the testing for means of hearing
5 instrument selection or who advertises or displays a sign or
6 represents himself or herself as a person who practices the
7 testing, fitting, selecting, servicing, dispensing, or selling
8 of hearing instruments.

9 "Fund" means the Hearing Instrument Dispenser Examining
10 and Disciplinary Fund.

11 "Hearing Care Professional" means a person who is a
12 licensed audiologist, a licensed hearing instrument dispenser,
13 or a licensed physician.

14 (Source: P.A. 89-72, eff. 12-31-95.)

15 (225 ILCS 50/9.5 new)

16 (Section scheduled to be repealed on January 1, 2016)

17 Sec. 9.5. Trainees.

18 (a) A trainee shall perform the functions of a hearing
19 instrument dispenser in accordance with the Department rules
20 and only under the direct supervision of a licensed hearing
21 instrument dispenser. For the purposes of this Section, "direct
22 supervision" means that the licensed hearing instrument
23 dispenser shall give final approval to all work performed by
24 the trainee and shall be physically present at the time any
25 hearing instrument or hearing aid is delivered to the client.

1 The licensed hearing instrument dispenser is responsible for
2 all of the work that is performed by the trainee.

3 (b) The Department shall establish by rule a training
4 program for trainees that shall be at least 12 months in
5 length.

6 (c) The Department may limit the number of trainees that
7 may be under the direct supervision of the same licensed
8 hearing instrument dispenser.